

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2  
3 IN THE STATE OF ARIZONA

4 In the Matter of

5 **RODNEY D. GLADHART, M.D.**

6 Holder of License No. 4503  
7 For the Practice of Medicine  
8 In the State of Arizona.

INVESTIGATION NO. 12039

FINDINGS OF FACT,  
CONCLUSIONS OF LAW,  
AND ORDER FOR  
LETTER OF REPRIMAND

9 INTRODUCTION

10 This matter was considered by the Arizona Board of Medical Examiners (Board) at  
11 its public meeting on November 18, 1999. Rodney Gladhart, M.D. appeared for the  
12 purpose of the Board conducting a formal interview, pursuant to the authority vested in it  
13 by A.R.S. § 32-1451(G). The Board resumed consideration of this matter on December 9,  
14 1999. After due consideration of the facts and law applicable to this matter, the Board  
15 voted to issue the following findings of fact, conclusions of law and order.

16 FINDINGS OF FACT

17 1. The Board is the duly constituted authority for the regulation and control of  
18 the practice of medicine in the State of Arizona.

19 2. Dr. Gladhart is the holder of License No. 4503 for the practice of medicine in  
20 the State of Arizona.

21 3. Investigation No. 12039 was initiated after a complaint was received from  
22 S.C. regarding the care her mother-in-law, L.C., received from Dr. Gladhart. Patient L.C.  
23 died on June 9, 1998, of colon cancer.

24 4. Patient L.C., a 77-year-old woman, was an established patient of Dr.  
25 Gladhart for over 13 years. On November 15, 1996, patient L.C. went to see Dr. Gladhart

1 with complaints of bright red blood in her stool. Dr. Gladhart gave patient L.C. a three-day  
2 stool specimen kit and one of the specimens was positive for hemoccult. Dr. Gladhart  
3 ordered a barium enema and reported the findings as diverticulosis without diverticulitis of  
4 the left colon.

5 5. Six months later on April 24, 1997, patient L.C. returned to see Dr. Gladhart  
6 with complaints of rectal bleeding and soreness of the navel with a lump of about 2 and a  
7 half weeks duration. Dr. Gladhart diagnosed patient L.C. with a navel infection and  
8 prescribed antibiotics. He advised L.C. to watch for pain in her colon as he thought she  
9 might be developing diverticulitis. Dr. Gladhart told patient L.C. to return for a recheck in  
10 two weeks.

11 6. Two weeks later, patient L.C. returned to see Dr. Gladhart on May 30, 1997,  
12 with continued complaints of rectal bleeding. Dr. Gladhart conducted a rectal examination  
13 that was weakly positive and noted that she had and tenderness in the lower left quadrant  
14 of her abdomen with rebound. Dr. Gladhart again prescribed antibiotics for patient L.C.  
15 and told her to return for a recheck in two weeks.

16 7. On June 18, 1997, patient L.C. returned to see Dr. Gladhart. Dr. Gladhart  
17 did not perform another rectal examination as patient L.C. did not want it done. Dr.  
18 Gladhart told patient L.C. to return if the bleeding persisted. It was noted that L.C. had a  
19 2-pound weight loss, but had less discomfort.

20 8. On September 10, 1997, patient L.C. returned to see Dr. Gladhart with  
21 complaints of heavy rectal bleeding. A stool occult specimen was positive for hemoccult.  
22 Dr. Gladhart referred patient L.C. to a general surgeon, Dr. Rodis, who performed a CT  
23 scan that was negative except for ascites. In addition, a barium enema was performed  
24 and showed either inflammation with some obstruction or possible tumor. Dr. Rodis also  
25 ordered a colonoscopy, which diagnosed carcinoma. Patient L.C. then had extensive

1 surgery performed on November 6, 1997. Patient L.C. died on June 9, 1998.

2 9. Dr. Gladhart failed to follow-up on persistent rectal bleeding in patient L.C., a  
3 77 year-old woman, with a family history of colon carcinoma. This resulted in a significant  
4 delay in the diagnosis of colon cancer.

### 5 CONCLUSIONS OF LAW

6 1. The Board possesses jurisdiction over the subject matter hereof and over Dr.  
7 Gladhart.

8 2. The conduct and circumstances described above in paragraphs 4 to 9  
9 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25)(l)(conduct that the  
10 board determines is gross malpractice, repeated malpractice or any malpractice resulting  
11 in the death of a patient.)

12 3. The conduct and circumstances described above in paragraphs 4 to 9  
13 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25)(q)(any conduct or  
14 practice which is or might be harmful or dangerous to the health of the patient or the  
15 public.)

### 16 ORDER

17 Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby  
18 ordered that Dr. Gladhart be issued a Letter of Reprimand for failing to adequately  
19 diagnose patient L.C.'s colon cancer.

### 20 RIGHT TO PETITION FOR REVIEW

21 Dr. Gladhart is hereby notified that he has the right to petition for a rehearing.  
22 Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing must be filed with  
23 the Board's Executive Director within thirty (30) days after service of this Order and  
24 pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a  
25 rehearing. Service of this Order is effective five (5) days after the date of mailing. If a

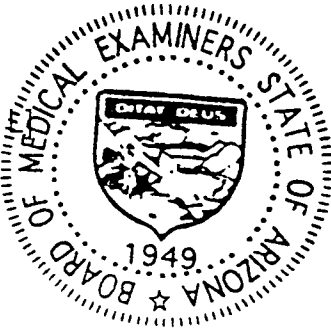
1 petition for rehearing is not filed, the order becomes effective thirty-five (35) days after it  
2 has been mailed.

3 Dr. Gladhart is further notified that the filing of a petition for rehearing is required to  
4 preserve any rights of appeal to the superior court that he may wish to pursue.

5 DATED this 10<sup>th</sup> day of December, 1999.

6 BOARD OF MEDICAL EXAMINERS  
7 OF THE STATE OF ARIZONA

8 [SEAL]



9  
10 By Claudia Foutz  
11 CLAUDIA FOUTZ  
Executive Director

12 ORIGINAL of the foregoing filed this  
13 10<sup>th</sup> day of December, 1999, with:

14 The Arizona Board of Medical Examiners  
15 1651 East Morten, Suite 210  
Phoenix, AZ 85020

16 EXECUTED COPY of the foregoing mailed by Certified  
17 Mail this 10<sup>th</sup> day of December, 1999, to:

18 Rodney Gladhart, M.D.  
19 111 W. Wigwam Blvd., Suite D  
Litchfield Park, AZ 85340

20 COPY of the foregoing hand delivered this  
21 10<sup>th</sup> day of December, 1999, to:

22 Gordon Bueler, Assistant Attorney General  
23 The Arizona Board of Medical Examiners  
1651 East Morten, Suite 210  
Phoenix, AZ 85020

24 Donna L. Matrescito  
25 Board Operations